

**To:** Arrazola, Ignacio[[arrazola.ignacio@epa.gov](mailto:arrazola.ignacio@epa.gov)]  
**Cc:** Harris, Michael[[harris.michael@epa.gov](mailto:harris.michael@epa.gov)]; Victorine, Gary[[victorine.gary@epa.gov](mailto:victorine.gary@epa.gov)]; Egan, Robert[[egan.robert@epa.gov](mailto:egan.robert@epa.gov)]  
**From:** Kamke, Sherry  
**Sent:** Thur 2/16/2017 8:29:52 PM

## Ex. 5 - Deliberative Process

Sherry

**From:** Arrazola, Ignacio  
**Sent:** Thursday, February 16, 2017 12:34 PM  
**To:** Victorine, Gary <[victorine.gary@epa.gov](mailto:victorine.gary@epa.gov)>; Kamke, Sherry <[Kamke.Sherry@epa.gov](mailto:Kamke.Sherry@epa.gov)>; Egan, Robert <[egan.robert@epa.gov](mailto:egan.robert@epa.gov)>  
**Cc:** Harris, Michael <[harris.michael@epa.gov](mailto:harris.michael@epa.gov)>  
**Subject:** FW: proposed Haskell Lake/Tower Standard Lust Site Technical Meeting February 23, 2017

# Ex. 5 - Deliberative Process

**From:** Allen, Dee [<mailto:dee.allen@ldftribe.com>]  
**Sent:** Thursday, February 16, 2017 12:25 PM  
**To:** Arrazola, Ignacio <[arrazola.ignacio@epa.gov](mailto:arrazola.ignacio@epa.gov)>  
**Cc:** Greenwater, Anthony <[greenwater.anthony@epa.gov](mailto:greenwater.anthony@epa.gov)>; [KHanson@ldftribe.com](mailto:KHanson@ldftribe.com);  
[lwawronowicz@ldftribe.com](mailto:lwawronowicz@ldftribe.com)  
**Subject:** RE: proposed Haskell Lake/Tower Standard Lust Site Technical Meeting February 23, 2017

Good Afternoon Mr. Arrazola,

We would like to confirm the technical meeting for February 23, 2017 at 8:30 a.m., at our Tribal Natural Resource Offices (2549 State Hwy 47, Lac du Flambeau, Wisconsin).

We also agree to Anthony's proposed four items for the meeting:

"The idea was to focus on your overall conceptual model and in particular: 1) what is known of the nature and extent of contamination; 2) the adequacy (or not) of data collection, analysis, and modeling; 3) whether all of you are prepared to begin talking about specific remedial actions; and 4) if any of these factors are inadequate, incomplete, or premature, then how should these deficiencies be corrected?"

In order to prepare for the meeting described by Anthony, we will need the 4dim model files. We request these files in whatever state they are. Also, we accept LC division invitation to discuss modeling in advance of the February 23 meeting. We are available today and tomorrow.

We respectfully request in advance of the publication of EPA figures and documents on the EPA website and therefore provided to the Responsible Party, that the Tribe receives the opportunity to review, provide comment, and furthermore that our comments are considered before sharing with the responsible party through the EPA website.

Thank you for your commitment to address our concerns and we look forward to a productive technical meeting on February 23, 2017.

**Dee Ann Allen**

**Lac du Flambeau Tribal Natural Resource Department/Environmental Protection Program**

**P.O. Box 67**

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**From:** Arrazola, Ignacio [<mailto:arrazola.ignacio@epa.gov>]

**Sent:** Wednesday, February 15, 2017 1:13 PM

**To:** Allen, Dee; Hanson, Kristen

**Cc:** Victorine, Gary; Kamke, Sherry; Egan, Robert; Manville, Jennifer; Greenwater, Anthony

**Subject:** RE: proposed Haskell Lake meeting

Greetings,

I am acting as the Director for the EPA Region 5 Land and Chemicals Division for several months while Margaret Guerriero is on detail to the Superfund Division. I want to assure you that the Land and Chemicals Division remains fully committed to listening to the Tribe and addressing its concerns to the maximum extent feasible. With that in mind, Bob Egan and Sherry Kamke are looking forward to having a productive technical discussion with you.

We agree that the four primary technical questions that Anthony Greenwater outlined in his email dated February 14, 2017, below, would be a constructive focus for the technical meeting, with the goal of reaching consensus and moving forward together. Sherry's last email to you addressed some of the information that the Tribe requested. Existing data is on the epa osc website. New draft modeling figures will be uploaded after EPA discusses the results with Bristol and S2C2 this week. Also, Bristol is preparing a nonbinding, non-exhaustive table of potential remedial options with advantages and disadvantages for each option for purposes of discussion. Both the images and the table are expected to be available by the end of this week. After this week, S2C2 will make revisions to the most recent model based on EPA's comments, in preparation for a presentation of the results by S2C2. Bob Egan confirmed with Bristol that S2C2 can make revisions to the model (based on EPA comments) by about March 1. The model will then be ready to be presented by S2C2 in a web-based meeting.

In light of the above, we propose the following options:

- 1) Continue to plan for a Feb. 23 or 24 technical meeting. Tom Kady is expected to be available by telephone to lead a discussion of the most recent 3D model images and present the existing data (caveated with an explanation of issues EPA is working through with S2C2). Mr. Kady and LCD staff are also available to discuss modeling prior to Feb. 23 or 24, if that would be preferable to the Tribe.
- 2) Explore dates for a face-to-face technical discussion centered on the questions Mr. Greenwater posed after the S2C2 modeling is completed. This will allow the presentation of the modeling to be made with both Tom Kady and S2C2, and will allow the technical discussion to be informed by the S2C2 modeling presentation. We are willing to either meet face-to-face with the Tribe for the technical discussion either on the date of the modeling presentation or on a date after the S2C2 presentation.

According to Bristol, S2C2 should be available throughout the month of March to host the web-based presentation.

Please let us know your preferences or if you have another productive alternative in mind. In particular, if you would like to meet on Feb. 23 or 24, please let us know as soon as possible the time, date, and location that you prefer so EPA can make travel arrangements and set Mr. Kady's availability in a timely fashion.

Again, we look forward to a productive technical discussion with you in the near future.

Sincerely,

Ignacio

Ignacio L. Arrázola

Acting Director

Land and Chemicals Division

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**From:** Greenwater, Anthony  
**Sent:** Tuesday, February 14, 2017 10:25 AM  
**To:** Arrazola, Ignacio <arrazola.ignacio@epa.gov>; Dee.allen@ldftribe.com  
**Cc:** KHanson@ldftribe.com; Victorine, Gary <victorine.gary@epa.gov>; Kamke, Sherry <Kamke.Sherry@epa.gov>; Egan, Robert <egan.robert@epa.gov>; Manville, Jennifer <manville.jennifer@epa.gov>  
**Subject:** proposed Haskell Lake meeting

Hello, everyone. I sent some questions recently to explore your areas of agreement and disagreement regarding the cleanup at Lake Haskell / Tower Standard. The idea was to focus on your overall conceptual model and in particular: 1) what is known of the nature and extent of contamination; 2) the adequacy (or not) of data collection, analysis, and modeling; 3) whether all of you are prepared to begin talking about specific remedial actions; and 4) if any of these factors are inadequate, incomplete, or premature, then how should these deficiencies be corrected?

On Feb 8, Dee responded that many of those questions were unanswerable until the Tribe received various model files, data evaluations and EPA reports. I believe at least some of these materials have since been provided. Are we prepared to get together and talk about what we know, what is needed, and where we are going?

Feb 23-24 has been proposed to get together for an initial discussion. To hold this date and make all arrangements, we should decide when and where very soon. I believe very strongly that this meeting should be face to face, but that is up to you. Please let me know if you are ready to open this facilitated discussion on the proposed dates.

Vr,

Anthony Greenwater, Director

Tribal and International Affairs

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